

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Paul M. Ruda
Debtor(s)

Bankruptcy Case No.: 17-21573-CMB
Per May 6, 2021 Proceeding
Chapter: 13
Docket No.: 114 – 105, 106
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 9, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Community Loan Servicing (Cl. #10-2) following payment changes of record; PNC (Cl. #7) following payment changes of record .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

Attorney fees are based on a retainer of \$100.00, with remaining no look fee of \$3,900.00, and remaining balance of \$600.00 provided fee application filed and granted.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

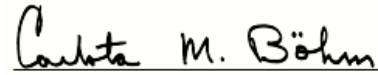
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: May 7, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Paul M. Ruda
Debtor

Case No. 17-21573-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: May 07, 2021

User: dric
Form ID: 149

Page 1 of 3
Total Noticed: 23

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 09, 2021:

Recip ID	Recipient Name and Address
db	+ Paul M. Ruda, 112 Meadow Court, Pittsburgh, PA 15229-2164
cr	+ American Honda Finance Corporation, d/b/a Acura Fi, 3625 W. Royal Lane #200, Irving, TX 75063-2912
cr	+ Ross Township, 437 Grant Street, 14th Floor, Frick Building, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
14404673	++ AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088 address filed with court:, Acura Financial Services, P.O. Box 65507, Wilmington, DE 19808-0507
14665121	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14404677	++ NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366 address filed with court:, Nissan Motor Acceptance, PO Box 371447, Pittsburgh, PA 15250
14407083	Nissan, POB 660366, Dallas, TX 75266-0366
14648046	+ Ross Township, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14416672	Email/Text: ebnbankruptcy@ahm.honda.com	May 08 2021 02:04:00	American Honda Finance Corporation, National Bankruptcy Center, P.O. Box 168088, Irving, TX 75016-8088
14699234	+ Email/Text: BKMailBayview@bayviewloanservicing.com	May 08 2021 02:03:00	Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd., 5th Floor, Coral Gables, FL 33146-1873
14420863	Email/PDF: AIS.cocard.ebn@americaninfosource.com	May 08 2021 02:20:58	Capital One / Union Plus Mastercard, PO Box 71104, Charlotte, NC 28272-1104
14664361	+ Email/Text: bnc@bass-associates.com	May 08 2021 02:03:00	Cavalry SPV I, LLC, c/o Bass & Associates, P.C., 3936 E. Ft. Lowell Rd., Suite 200, Tucson, AZ 85712-1083
15301522	+ Email/Text: BKMailBayview@bayviewloanservicing.com	May 08 2021 02:03:00	Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gables FL 33146-1873
14404675	Email/PDF: ais.chase.ebn@americaninfosource.com	May 08 2021 02:20:57	Chase Bank, PO Box 15123, Wilmington, DE 19850-5123
14404674	Email/PDF: ais.chase.ebn@americaninfosource.com	May 08 2021 02:20:57	Chase Bank, c/o Cardmember services, PO Box 15123, Wilmington, DE 19850-5123
14404676	Email/PDF: ais.chase.ebn@americaninfosource.com	May 08 2021 02:20:57	Chase Mortgage Corporation, P. O. Box 24696, Columbus, OH 43224-0696
14420867	Email/Text: PBNCNotifications@peritussservices.com	May 08 2021 02:03:00	Kohl's, PO Box 2983, Milwaukee, WI 53201-2983
14404678	Email/Text: Bankruptcy.Notices@pnc.com	May 08 2021 02:04:00	PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
14420870	Email/Text: Bankruptcy.Notices@pnc.com	May 08 2021 02:04:00	PNC Bank, PO Box 3180, Pittsburgh, PA 15230
14678399	Email/Text: Bankruptcy.Notices@pnc.com		

District/off: 0315-2

User: dric

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Form ID: 149

Total Noticed: 23

		May 08 2021 02:04:00	PNC Bank, N.A., PO BOX 94982, Cleveland, OH 44101-0570
14697975	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 08 2021 02:19:11	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14739457	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 08 2021 02:22:51	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14404679	+ Email/PDF: Citi.BNC.Correspondence@citi.com	May 08 2021 02:21:01	The Home Depot, c/o Home Depot Credit Services, PO Box 790328, Saint Louis, MO 63179-0328

TOTAL: 15

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BAYVIEW LOAN SERVICING, LLC
cr		Community Loan Servicing, LLC
cr		JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
cr	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14420861	*P++	AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088, address filed with court:, Acura Financial Services, P.O. Box 65507, Wilmington, DE 19808-0507
14420862	*P++	AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088, address filed with court:, Acura Financial Services, P.O. Box 65507, Wilmington, DE 19808-0507
14420865	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Bank, PO Box 15123, Wilmington, DE 19850-5123
14420864	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Bank, c/o Cardmember services, PO Box 15123, Wilmington, DE 19850-5123
14420866	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Mortgage Corporation, P. O. Box 24696, Columbus, OH 43224-0696
14420868	*P++	NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366, address filed with court:, Nissan Motor Acceptance, PO Box 371447, Pittsburgh, PA 15250
14420869	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
14420871	*+	The Home Depot, c/o Home Depot Credit Services, PO Box 790328, Saint Louis, MO 63179-0328

TOTAL: 3 Undeliverable, 10 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 09, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 7, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor JPMORGAN CHASE BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com

District/off: 0315-2

User: dric

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Brian Nicholas

on behalf of Creditor BAYVIEW LOAN SERVICING LLC bnicholas@kmlawgroup.com

Brian Nicholas

on behalf of Creditor Community Loan Servicing LLC bnicholas@kmlawgroup.com

Jeffrey R. Hunt

on behalf of Creditor Ross Township jhunt@grblaw.com cnoroski@grblaw.com

Kenneth Steidl

on behalf of Debtor Paul M. Ruda julie.steidl@steidl-steinberg.com
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@st
eidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

William E. Craig

on behalf of Creditor American Honda Finance Corporation d/b/a Acura Financial Services, administrator for Honda Lease Trust
ecfmail@mortoncraig.com, mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 8